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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,652	07/06/1999	JAMEY GRAHAM	15358-005500	5555

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EXAMINER

PAULA, CESAR B

ART UNIT PAPER NUMBER

2178

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/348,652

Applicant(s)

GRAHAM, JAMEY

Examiner

CESAR B PAULA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2-3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application, and IDSs filed on 7/6/99, 7/6/99, and 1/14/02 respectively.

This action is made Non-final.

2. Claims 1-30 are pending in the case. Claims 1, 10-11, 20-21, and 30 are independent claims.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Objections

4. Claim 2 is objected to because of the following informalities: "relative presence of at discussions" L.6. It seems that the "at" should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7, 17, and 27 recite the limitation "said contour image" in L.2-3. There is insufficient antecedent basis for this limitation in the claim. It seems that these claims should

depend on claims 2, 12, and 22 respectively, because the "contour image" is mentioned in those claims, but not in claims 1, 11, and 21.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1, 4, 6, 9, 11, 16, 19, 21, 26, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Aalbersberg (Pat.# 5,946,678, 8/31/99, filed 1/11/95, as disclosed in IDS paper 3).

Regarding independent claim 1, Aalbersberg discloses a window for accepting user's concepts of interest input -- (c. 2, L. 1-58, and fig. 2).

Moreover, Aalbersberg discloses the analyzing, and displaying of a document having the concepts of interest -- (c. 6, L. 1-67, and fig. 4-5).

Claim 4 is directed towards a computer program product on a computer-readable medium for storing the steps found in claim 1, and therefore is similarly rejected.

Regarding claim 6, which depends on claim 1, Aalbersberg discloses the displaying of persistent concepts of interest in the document -- (c. 6, L. 1-67, and fig. 4-5).

Regarding claim 9, which depends on claim 1, Aalbersberg discloses a window for accepting user's selection of the weights to be assigned to the concepts of interest -- (c. 4, L.48-c.5, L.67 and fig. 3, 8).

Moreover, Aalbersberg discloses displaying a document having the concepts of interest -- (c. 6, L. 1-67, and fig. 4-5).

Claims 11, 16, and 19 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 1, 6, and 9 respectively, and therefore are similarly rejected.

Claims 21, 26, and 29 are directed towards a computer system for implementing the steps found in claims 1, 6, and 9 respectively, and therefore are similarly rejected.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-3, 5, 7, 12-14, 15, 17, 22-24, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aalbersberg, in view of Greenberg et al, hereinafter Greenberg

“Awareness through Views in Relaxed-WYSIWIS Groupware”, Proceedings of Graphic Interface, Toronto, Canada (1995, as disclosed in IDS paper 3).

Regarding claim 2, which depends on claim 1, Aalbersberg teaches the analyzing, and displaying of a document having the concepts of interest -- (c. 6, L. 1-67, and fig. 4-5). Aalbersberg fails to explicitly teach *displaying a contour graph image*. Greenberg teaches the display of a lens curve graph-- *a contour graph image*—which allows a user to magnify the text or concept of interest being displayed in the screen (p.7, 3.3, fig.5a). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Aalbersberg, and Greenberg, because Greenberg teaches about the customization of the magnification of the text.

Claims 3, 5, and 7 are directed towards a method for implementing the steps found in claim 2, and therefore is similarly rejected.

Claims 12-14, 15, and 17 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 2, 3, 2, 5, and 7 respectively, and therefore are similarly rejected.

Claims 22-24, 25, and 27 are directed towards a computer system for implementing the steps found in claims 2-3, 2, 5, and 7 respectively, and therefore are similarly rejected.

11. Claims 8-3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aalbersberg, in view of Greenberg, and further in view of Ball et al “Software Visualization in the Large”, IEEE Computer, vol.29, No.4, pp. 33-43 (4/1996, as disclosed in IDS paper 2).

Regarding claim 8, which depends on claim 2, Aalbersberg teaches display of a document having the concepts of interest in a highlighted fashion -- (c. 6, L. 1-67, and fig. 4-5). Aalbersberg fails to explicitly teach *an elongated thumbnail*. Ball teaches the display of an

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elongated thumbnail of a document with certain portions highlighted in a specific color (p.8, L.1-30, fig.3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Aalbersberg, Greenberg, and, Ball because Ball teaches above the easing of text navigation.

Regarding independent claim 10, Aalbersberg discloses a window for accepting user's concepts of interest input -- (c. 2, L. 1-58, and fig. 2).

Moreover, Aalbersberg discloses the analyzing, and displaying of a document having the concepts of interest by the selection of a displayed concept indicator corresponding to the document-- (c. 6, L. 1-67, and fig. 4-5). Aalbersberg fails to explicitly teach *a contour graph image corresponding to said electronically stored document*. Greenberg teaches the display of a lens curve graph-- *a contour graph image*—which allows a user to magnify the text or concepts of interest being displayed in the screen, and indicate their relative location on the screen relative to the contour of the lens (p.7, 3.3, fig.5a). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Aalbersberg, and Greenberg, because Greenberg teaches above the customization of the magnification of the text.

Moreover, Aalbersberg teaches display of a document having the concepts of interest in a highlighted fashion -- (c. 6, L. 1-67, and fig. 4-5). Aalbersberg fails to explicitly teach *an elongated thumbnail*. Ball teaches the display of an elongated thumbnail of a document with certain portions highlighted in a specific color (p.8, L.1-30, fig.3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Aalbersberg, Greenberg, and, Ball because Ball teaches above the easing of text navigation.

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Claims 18, 20 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 8, and 10 respectively, and therefore are similarly rejected.

Claims 22-23, 25, 27-18, and 30 are directed towards a computer system for implementing the steps found in claims 2-3, 5, 7-8, and 30 respectively, and therefore are similarly rejected.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kirk et al. (Pat. # 5,768,578), Rose et al. (Pat. # 5,838,323), Gould (Pat. # 6,335,730), Weiner et al. (Pat. # 6,275,229), Theisen et al. (Pat. # 6,259,458), Schwuttke et al. (Pat. # 6,222,547), Rao et al. (Pat. # 6,085,202), Advani et al. (Pat. # 6,057,839), and Tzou et al. (Pat. # 5,530,942).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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Any response to this Action should be mailed to:

Director United States Patent and Trademark Office

Washington, D.C. 20231

Or faxed to:

- (703) 746-7238, (for **After Final** communications intended for entry)
- (703) 746-7239, (for **Formal** communications intended for entry, **except formal After Final communications**)

Or:

- (703) 746-7240, (for **Informal or Draft** communications for discussion only, please label **"PROPOSED"** or **"DRAFT"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CBP

10/10/02

Stephen S. Hong
STEPHEN S. HONG
PRIMARY EXAMINER